IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1901 OF 2006.

Kishore Shenoy. ... Petitioner.
Versus.
M/s.ION Exchange Finance Ltd. & anr. ... Respondents.

Shri H.Rahman i/by M/s.M.V.Kini & Co. for the Petitioner.

Ms.S.V.Gajare, A.P.P. for the Respondent-State.

CORAM : ABHAY S.OKA, J.

DATED : 12th September, 2006.

P.C.:

1. By this petition under Article 227 of the Constitution of India, the Petitioner has prayed for quashing and setting aside the order issuing process passed on a complaint filed by the 1st Respondent under section 138 of the Negotiable Instruments Act, 1881. The remedy of preferring a Revision Application before the appropriate Sessions Court for challenging the order issuing process is available to the Petitioner. Hence this Writ Petition is not entertained. The same is rejected. Notwithstanding the rejection of this petition, it will be open for the Petitioner to file Revision Application before the appropriate Sessions Court for challenging the order issuing process. All contentions of the parties are expressly kept open.

Judge.